

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
MEMPHIS DIVISION

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IN RE REGIONS MORGAN KEEGAN  
SECURITIES, DERIVATIVE & ERISA  
LITIGATION

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) Case No. 2:09-md-2009-SHM  
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)

This Document Relates to:

*In re Regions Morgan Keegan Open-End  
Mutual Fund Litigation*

No. 2:07-cv-02784-SHM-dvk

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**INDIVIDUAL DEFENDANTS' MOTION TO DISMISS**

Defendants Allen B. Morgan, Jr., J. Kenneth Alderman, Carter E. Anthony, Brian B. Sullivan, Joseph C. Weller, John T. Weller, G. Douglas Edwards, Charles D. Maxwell, David M. George, Michele F. Wood, James C. Kelsoe, Jr., David H. Tannehill and Thomas R. Gamble (collectively, the "Individual Defendants") respectfully file this motion to dismiss Plaintiffs' Consolidated Amended Class Action Complaint ("CAC"). A memorandum of law is submitted herewith in support of this motion.

As grounds for this motion, Plaintiffs lack standing to pursue their claims under the Securities Act of 1933, the Securities Exchange Act of 1934, and the Investment Company Act of 1940 (the "ICA"). Furthermore, the ICA does not provide for a private right of action. Finally, Plaintiffs' CAC fails to meet the pleading requirements of Rules 8(a)(2) and 9(b) of the Federal Rules of Civil Procedure, as well as the requirements of the Private Securities Litigation Reform Act, and dismissal of this action is therefore appropriate pursuant to Rule 12(b)(6). As such, Defendants respectfully request that this action be dismissed with prejudice.

DATED this 12th day of February 2010.

Respectfully submitted,

SUTHERLAND, ASBILL &  
BRENNAN LLP

/s/ S. Lawrence Polk

999 Peachtree Street, NE

Atlanta, GA 30309

(404)853-8000

Larry.Polk@sutherland.com

*Attorney for Allen B. Morgan, Jr., J. Kenneth Alderman, Carter E. Anthony, Brian B. Sullivan, Joseph C. Weller, John T. Weller, G. Douglas Edwards, Charles D. Maxwell, David M. George, Michele F. Wood, James C. Kelsoe, Jr., David H. Tannehill and Thomas R. Gamble*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 12, 2010, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following and/or served the following via U.S. Mail:

**APPERSON CRUMP PLC**  
CHARLES D. REAVES  
JEROME A. BROADHURST  
6070 Poplar Avenue, Sixth Floor  
Memphis, TN 38119-3954

**KIRKLAND & ELLIS, LLP**  
TIMOTHY DUFFY, ESQ.  
EMILY NICKLIN, ESQ.  
KRISTOPHER RITTER, ESQ.  
300 North LaSalle  
Chicago, IL 60654

**HEAD, SEIFERT & VANDER WEIDE,  
P.A.**  
VERNON J. VANDER WEIDE  
THOMAS V. SEIFERT  
333 South Seventh St., Suite 1140  
Minneapolis, MN 55402-2422

**BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, PC**  
LEO BEARMAN, ESQ.  
EUGENE PODESTA, ESQ.  
165 Madison Avenue  
First Tennessee Building  
Memphis, TN 38103

**LOCKRIDGE GRINDAL NAUEN PLLP**  
RICHARD A. LOCKRIDGE  
GREGG M. FISHBEIN  
100 Washington Avenue South, Suite 2200  
Minneapolis, MN 55401

**K&L GATES LLP**  
JEFFREY B. MALETTA, ESQ.  
NICOLE A. BAKER, ESQ.  
1601 K Street, NW  
Washington, D.C. 20006-1600

**ZIMMERMAN REED, P.L.L.P.**  
CAROLYN G. ANDERSON  
TIMOTHY J. BECKER  
651 Nicollet Mall, Suite 501  
Minneapolis, MN 55402

**BASS BERRY & SIMS PLC**  
MICHAEL L. DAGLEY  
MATTHEW M. CURLEY  
150 Third Avenue North, Suite 2800  
Nashville, TN 37201

**MAYNARD COOPER & GALE PC**  
PETER S. FRUIN  
2400 Regions Harbert Plaza  
1901 Sixth Avenue North  
Birmingham, AL 35203

**SULLIVAN & CROMWELL LLP**  
DAVID B. TULCHIN  
DAVID E. SWARTS  
125 Broad Street  
New York, New York 1004

**PAUL HASTINGS JANOFSKY &  
WALKER LLP**  
Kevin C. Logue  
Asa R. Danes  
Park Avenue Tower  
75 E. 55th Street  
New York, NY 10022

/s/ S. Lawrence Polk